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5 **IN THE UNITED STATES DISTRICT COURT**  
6 **FOR THE EASTERN DISTRICT OF WASHINGTON**

7 PHILLIP B. HAUSKEN,

8 Plaintiff,

9 v.

10 RICHARD LINN,

11 Defendant.

NO: 2:15-cv-00024- SAB

ORDER DISMISSING ACTION

12 **BEFORE THE COURT** is a joint notice of Voluntary Dismissal signed by  
13 Plaintiff Phillip B. Hausken and electronically filed by counsel for Defendant Richard  
14 Linn. ECF No. 14. The complaint was not filed and there is a pending Report and  
15 Recommendation to deny Plaintiff's application to proceed *in forma pauperis*. ECF  
16 No. 10. This case was re-assigned to the undersigned judicial officer on March 27,  
17 2015.

18 Based on the notice of voluntary dismissal, **IT IS ORDERED** that this action is  
19 **DISMISSED without prejudice** pursuant to Fed. R. Civ. P. 41(a). **IT IS FURTHER**  
20

1 **ORDERED** that the Report and Recommendation is **REJECTED** and all pending  
2 motions are **DENIED as moot.**

3 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
4 Order, enter judgment, forward a copy to Plaintiff, and close the file. Counsel for  
5 Defendant shall be notified electronically in the ordinary course of business.

6 **DATED** this 13<sup>th</sup> day of April 2015.



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11 Stanley A. Bastian  
12 United States District Judge  
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